



Department of Energy

ROCKY FLATS OFFICE
P.O. BOX 928
GOLDEN, COLORADO 80402-0928

92-DOE-4404

Mr. David Shelton, Director
Hazardous Materials and Waste Management Division
Colorado Department of Health
4210 East 11th Street
Denver, CO 80220

Dear Mr. Shelton:

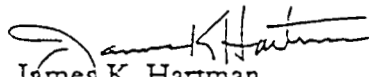
As you are aware, staff from the U.S. Department of Energy (DOE) and the Colorado Department of Health (CDH) met several times in 1991 to attempt to negotiate a compliance agreement between our two agencies to address Land Disposal Restrictions (LDR) mixed wastes generated and stored at the Rocky Flats Plant. As you are also aware, we were unsuccessful in reaching such an agreement. The purpose of this letter is to formally request resumption of negotiations to finalize an LDR compliance agreement between our two agencies.

Preliminarily, we propose Monday June 1, 1992, as the date for formally resuming LDR negotiations. We have consulted with CDH staff and staff from the Colorado Attorney General's Office, and they have expressed to us a concern that negotiations not be allowed to continue indefinitely. We concur, and suggest that a 4 - 6 month time frame be established from the start of negotiations, within which a working LDR compliance agreement would be reached. We are of course willing to confer with you as to the appropriate length of such a time frame.

As our office will require some lead time to coordinate a negotiation strategy with DOE Headquarters, and to establish a dedicated negotiating team, we ask that you respond to our request as soon as possible. We would very much appreciate your written response by May 1, 1992.

Thank you for your consideration of our request; we look forward to the opportunity to meet with the State of Colorado and resolve the outstanding issues between us. If you have any questions or would like more information, please call myself or Tom Lukow at 966-4561.

Sincerely,


James K. Hartman
Acting Assistant Manager
for Environmental Management

cc:

J. Sowinski, CDH
D. Miller, Co. Attorney General's Office
M. Hestmark, EPA
L. Duffy, EM-1
E. Livingston, EM-1
G. Patton, EM-2
J. Lythe, EM-30
P. Bubar, EM-323
L. Stevens, EM-331

D. Louison, CP-30
D. Ruge, GC-11
M. Stone, EH-221
T. Lukow, WMED, RFO
J. Rampe, WPB, RFO
M. Roy, OCC, RFO
J. Kersh, EG&G
G. McKenna, EG&G

ADMIN RECORD

A-SW-001255